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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,237	09/21/2001	Andreas Herkersdorf	CH9-2000-0019US1(590.082)	5867

35195 7590 04/15/2005

REFERENCE & ASSOCIATES
409 BROAD STREET
PITTSBURGH, PA 15143

EXAMINER

VU, THONG H

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/960,237

Applicant(s)

HERKERSDORF ET AL.

Examiner

Thong H Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-16 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-16 are rejected under 35 U.S.C. § 102(b) as being anticipated by Reed et al [Reed 5,862,325].

4. As per claim 1, Reed discloses a method for handling interactive information exchange through networks having a plurality of client machines, the method comprising the steps of:

composing a request message offering predetermined response options, whereby corresponding response messages are returned through said networks in one (or more) packet(s) [Reed, email message, col 5 lines 23-40; the form can contain pre-configured response options, col 75 lines 1-23; packet, col 96 lines 1-23];

setting up packet forwarding rules in said networks specifying a particular treatment for said returned packets dependent on said predetermined response options [Reed, response options, col 36 lines 7-12; menu option, col 66 lines 1-15; preconfigured

response options, col 75 lines 1-23; forwarding control rules, col 83 line 20-col 84 line 67];

sending said request message to said subset of client machines [Reed, the subset of consumers on a communications network, col 72 lines 22-48; subset of the system, col 102, lines 4-16].

5. As per claim 2, Reed discloses an initial step of receiving a subscription message from a subset of said client machines [Reed, the subset of consumers on a communications network, col 72 lines 22-48; subset of the system, col 102, lines 4-16].

6. As per claim 3, Reed discloses said request message is composed in that said corresponding response message only consists of one packet as a design choice of the response option.

7. As per claim 4, Reed discloses said request message is composed in a way that said chosen predetermined response options is encoded in a data portion of said respective response packet [Reed, the form can contain pre-configured response options, col 75 lines 1-23].

8. As per claim 5, Reed discloses said request message is composed in a hypertext document format and a program that can be executed on the client machines and

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composes said response messages upon an interaction of a user of a client machine [Reed, HTML format, col 14 line 55-col 16 line 14 et seq.].

9. As per claim 6, Reed discloses setting up forwarding rules includes the step of configuring one or more routers (i.e.: proxy servers) that forward said response packets [Reed, a proxy server, col 27 lines 53-60].

10. As per claim 7, Reed discloses configuring said routers (i.e.: server) includes the step of instructing said routers to discard response messages containing predetermined response options as a filter [Reed, filter, col 27 lines 62-col 28 line 37; col 37 lines 35-43 et seq.].

11. As per claim 8, Reed discloses configuring said routers includes the step of instructing said routers to forward response messages containing a certain response option to a specified host connected to one of said networks as inherent feature of filter.

12. As per claim 9, Reed discloses configuring said routers or proxy server combine more than one response messages arriving in a given time frame and to forward the combined messages as one message [Reed, a mail merge list, col 36 lines 13-25; combination of actins, col 38 lines 35-62; combining the program functions, col 40 lines 42-57].

13. As per claim 10, Reed discloses configuring said routers includes the step of instructing at least one of said routers to store the selected option of said response options in conjunction with the identity of the sender as inherent feature of filter.

14. As per claim 11, Reed discloses configuring said routers includes the step of instructing at least one of said routers to determine the amount of received response messages for each response option as inherent feature of filter.

15. As per claim 12, Reed discloses the steps of receiving response messages and sending a second request message only to client machines from which a response message containing a certain response option was received [Reed, the feedback consumer only of new response thread objects, col 127 lines 23-60].

16. As per claim 13, Reed discloses receiving response messages and storing the options chosen grouped by said sending client machines [Reed, options include sorting by container, folder, col 36 lines 7-12].

17. As per claim 14, Reed discloses a computer program product stored on a computer usable medium [Reed, product and medium, col 1 line 59-col 2 line 17].

18. Claims 15,16 contain the similar limitations set forth of claim 1. Therefore, claims 15,16 are rejected for the similar rationale set forth in claim 1.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (571) 272-3896. The fax number for the organization where this application or proceeding is assigned is 703-872-9306

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIRI system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Patent Examiner
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A handwritten signature in black ink, appearing to read 'Thong Vu', with a horizontal line underneath.